CMPMO Nos.139, 140, 141 & 142 of 2007.

6.7.2007 Present: Mr.Ashwani Kumar Sharma, counsel for the petitioner.

These CMPMOs have been filed against the awards passed by the Motor Accident Claims Tribunal, Hamirpur. In all these cases the award amount is Rs.5000/- each. No appeal lies against such an award. The main ground on which the Insurance Company has filed the present petitions is that it should have been held entitled to recover the award amount from the owner and driver of the vehicle. The awards are challenged on other grounds also.

From the accident out of which the present petitions arise, other claims have also been decided in which the awarded amount is much more than Rs.10,000/-. The petitioner Company has filed appeals in those cases. The apprehension of the Insurance Company is that in case the awards in the present cases are not challenged they might be treated as res judicata in the other appeals.

Keeping in view the entire facts and circumstances of these cases, I am of the opinion that since the award impugned in these cases is only Rs.5000/- each, no interference of this Court under Section 227 is called for. Hence, the present petitions are dismissed. However, the dismissal of these petitions shall not be treated or cited as precedent in other cases arising out of the same or similar award.

In view of the dismissal of the main cases, the CMPs in all these cases are also dismissed.

July 6, 2007. **(Deepak Gupta),**
PV **Acting Chief Justice.**